Sectt. II-27—20006—16-11-41.

P.W.D.

(1941) Department.

Qs SERIES.

G.O. No. 2410

Dated 6-10-1941

[Despatch Abstract.]

Landing and Shipping Fees Committee, Malpe - Sri M.Dejappa - Member absence from three consecutive meetings - Condoned -
Rule 5 of the Rules issued ~~under~~ with G.O.No.1575 Public Works (Marine) dated 30-7-1940 amended.

C.F. 20.

PUBLIC WORKS (MARINE) DEPARTMENT

ASST. SECRETARY TO GOVERNMENT
F.
8-SEP 1941
4413
PUBLIC WORKS

ived ..... *Registered* No. 4413 19

Marine - Malpe Port - Landing and Shipping Fees Committee - Sri M. Dejappa - Absence from three consecutive meetings - Condonation - Recommended.

Ref: 1) Malpe Port Conservator's report No.370/2, dated 14.8.1941.
2) Mangalore Port Officer's endorsement, dated 18th August 1941.
3) G.O.No.1575 Public Works (Marine) Dept., dated 30.7.1940.

ENCLOSURE

No. .....

Ref. No. 1689-41-B2.

Spare copies

Mangalore, 4th September 1941

From (Name) M. V. Subrahmanyan, Esq I.C.S.,

Designation) Collector of South Kanara.

To The Secretary to the Government of Madras,

Public Works (Marine) *Department.*

Sir, Madras.

Sri M. Dejappa was appointed as a member of the Landing and Shipping Fees Committee, Malpe in G.O.No.Ms.666 Public Works (Marine) Dept., dated 18.3.1941. He was absent from three consecutive meetings of the Committee held on --- 19.5.1941, 30.6.1941 and 8.8.1941. The member explains that he was unavoidably absent from Malpe on his business duties on the above dates and requests to be excused for his absence, promising to be punctual in future. The Port Conservator, Malpe recommends that the absence of the ----- member may be condoned and that he may be permitted to ---- continue to be a member.

2. Under rule (5) communicated with the G.O. quoted

above. non-official members who absent themselves from three consecutive meetings of the Committee without reasonable excuse shall cease to be members. It is not clear from this rule as to who should permit the members to continue to serve on the Committee if his excuse for absence is reasonable. According to Rule (4) any member absent from the port for more than six months shall vacate his seat, but may be re-instated by the President of the Committee so long as he is a gazetted officer and when he is not, by Government. On the analogy of this rule, as the Port Conservator, Malpe, who is the President of the Committee, is not a gazetted officer, I recommend that the absence of the member may be condoned and he may be allowed to continue as a member of the Committee.

C.F. 32.

PORT Department

Received 26 SEP 1941 Registered

From (Name) W. F. Ruffle, Esq

Designation Presidency Port Officer.

Station M a d r a s.

The Secretary to Government,
Public Works Department,
M a d r a s.

Enclosures: Nil

No. 1786 GR/41-1. dated 25th September 1941.

Sir,

Malpe - Landing and Shipping Committee - Absence of a member from three consecutive meetings - Re-appointment - Government Memo No.4413 F/41-1, Public Works Department dated 9-9-41.

In reply to the above memo, I have the honour to state that, under Rule 5 of the rules referred to, a member who is absent from three consecutive meetings of the Committee with reasonable excuse does not lose his seat on it. If, in this case, the reasons adduced by Mr. M. Dejappa for his absence from three consecutive meetings of the Malpe Landing and Shipping Committee are considered reasonable, he may continue as a member without any further orders of Government; otherwise, he may be re-instated as proposed by the Collector.

2. To make the position clear, I would suggest the addition of the following to rule 5 referred to above:-

"but they may be re-instated by the President of the Committee provided that he is a gazetted officer, and when he is not, by Government. The President shall, in each case, decide whether the excuse for the absence is reasonable or not".

I have the honour to be,
Sir,
Your most obedient servant,

W. F. Ruffle 25/9.

PRESIDENCY PORT OFFICER.

20/6/41 Date. Initials.

DRAFT FOR APPROVAL.

When received for fair copying ..		
When copied ..		
When examined ..		
When signed ..		
When despatched.		

SUBJECT :- L & S Fees Committee, Malpe - Sri M. Dejappa - member absence from three Consecutive meetings - Condoned.

Rule 5 ~~xxx~~ of the Rules framed with G.O. No. 1575 Pol(Mar) d 30.7.40 amended.

READ AGAIN G.O No 1575 Pol(Mar) dated 30-7-40 19
666 18-3-41 19

READ *ALSO* :-

C. No. 44137/41-2 From the Coll S Kanara Rc No. 1689-41 dated 4-9 19 41.
" " PPO. " 17886 B2/41-6 25-9 19 41.
" " " " " 19

Order ~~Resolution~~ Ms. No. 2410, dated 6-~~x~~-10- 19 41

The Govt are pleased to condone the absence of Sri M. Dejappa from three Consecutive meetings of the L & S. Fees Committee Malpe & to permit him to continue on the said Committee for the rest of his term.

2. Rule 5 of the rules framed with G.O No. 1575 Pol(Mar) d 30-7-40 will be recast as follows

A non-official member who absents himself from three Consecutive meetings of the Committee shall cease to be a member but may be re-elected by the President if he is a gazetted officer, and

6/ Where the President is not a gazetted officer,

'by the Govt [in ~~the case~~] if
'reasonable excuse for the his or
'absence is shown to their
'satisfaction

M2
28/9/41 Dy 2/10/41 PWD 41
30·9

To The Comm. of Skaunen
PWD
.. Sr Dy Accts.
.. Mrs Collectors of
.. Board of Rev

Note: The PWD's draft-
amendment would seem
to make the rule unnecessarily
long & loose in language.
The revised draft of rule 5-
in para 2 of the draft-order
above is suggested

Secd
M8/T

M
28/9

Dy
28/9/41

S PWD 41
30 9

Legal

ASST. SECRETARY TO COMR. 4-OCT 1941 PUBLIC WORKS

PWD no 4413F/41-2
30-9-41

Legal Department.

The alterations indicated in red ink on the draft may be made.

IRN
1/10/41

ASSISTANT SECRETARY I 1/ 6325 30 SEP 1941 LEGAL DEPARTMENT

HSQ

S

Dy
P.W.D
2/10/41

The draft above as altered
N.D by Legal may issue.
M4/10

Dy
2/10/41

Legal? ref no 6325-1
2/10/41.

Government of Madras

Received. . . . . 1941. Registered. . . . . 1941.

Abstract

Landing and Shipping Fees Committee, Malpe - Sri M.Dejappa, Member absence from three consecutive meetings - Condoned -
Rule 5 of the Rules issued with G.O.No.1575 Public Works (Marine), dated 30th July 1940 - Amended.

Public Works Department
G.O.No.2410 Ms., dated 6th October 1941.

Read the following:-

G.O.No.1575 Public Works (Marine), dated 30-7-1940. (W)
G.O.No. 666 " " " " 18-3-1941.
From the Collector of South Kanara, Ref.No.1689-41, dated 4-9-1941. -B.2,
From the Presidency Port Officer, No.1786 G1/41-1, dated 25-9-1941

ORDER

2. Rule 5 of the rules issued with G.O.No.1575 Public Works (Marine), dated 30th July 1940 will be recast as follows:- (W)

"A non-official member of the Committee who absents himself from three consecutive meetings of the Committee shall cease to be a member but may be reinstated by the President if he is a Gazetted Officer, and when the President is not a Gazetted officer, by the Government, if reasonable excuse for the absence is shown to his or their satisfaction."

(By Order of His Excellency the Governor)

D.D.Warren,
Secretary to Government

To the Collector of South Kanara.
" Presidency Port Officer.
" Examiner of Local Fund Accounts.
To Other Collectors of Maritime Districts. } Paragraph 2
To the Board of Revenue. } only.

True Copy

Forwarded
(By Order)

Superintendent.